

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN**

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

WP(C).No. 33679 of 2006(H)

PETITIONER:

**KUEHNE + NAGEL PVT. LTD;,
NO.24/492(G-4), MARAR ROAD, WILLINGDON ISLAND,
KOCHI-682 003, REPRESENTED BY ASSISTANT MANAGER,
SREEKESH S.**

**BY ADV. SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS**

RESPONDENTS:

**1. HEADLOAD WORKERS AND CONSTRUCTIONS
WORKERS UNION (AITUC), REG.NO.160/80,
CHERTHALA TALUK, REPRESENTED BY P.M.AJITHKUMAR,
GENERAL SECRETARY, RESIDING AT PUTHENKADU
NIKATHIL, AROOR P.O.**

**2. SRI. SUDHI,
CONVENER, KELTEX UNIT, AROOR P.O.,
HEADLOAD WORKERS AND CONSTRUCTIONS WORKERS
UNION (AITUC), REG. NO.160/80,
CHERTHALA TALUK.**

**3. THE CIRCLE INSPECTOR OF POLICE,
AROOR.**

**4. THE SUB INSPECTOR OF POLICE,
AROOR POLICE STATION, AROOR.**

**BY ADV. SRI.J.OM PRAKASH FOR R1
GOVT.PLEADER SRI.P.A.SALIM**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 10/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE ACKNOWLEDGMENT OF ASSISTANT COMMISSIONER OF K VAT SPECIAL CIRCLE I.

EXT.P2: COPY OF THE REQUEST SUBMITTED BEFORE THE 4TH RESPONDENT.

EXT.P3: COPY OF THE REQUEST SUBMITTED BEFORE THE 3RD RESPONDENT.

EXT.P4: COPY OF THE ACKNOWLEDGMENT ISSUED BY THE 4TH RESPONDENT.

RESPONDENT'S EXHIBITS:

EXT.R1(A): COPY OF THE IDENTITY CARD ISSUED TO V.R.SAJEEVAN DATED NIL.

EXT.R1(B): COPY OF THE IDENTITY CARD ISSUED TO V.K.JAYAKUMAR DATED NIL.

EXT.R1(C): COPY OF THE IDENTITY CARD ISSUED TO M.V.VINAYAKAN DATED NIL.

EXT.R1(D): COPY OF THE IDENTITY CARD ISSUED TO M.K.RADHAKRISHNAN DATED NIL.

EXT.R1(E): COPY OF THE IDENTITY CARD ISSUED TO M.B.CHANDRAN.

/TRUE COPY/

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

W.P.(C).NO.33679 OF 2006 ()

Dated this the 10th day of January, 2007

J U D G M E N T

KOSHY,J.

This is a petition for police protection. Already an interim order of protection was granted on 20.12.2006 provided work is carried out only by permanent employees mentioned in paragraph 2 of the additional affidavit with regard to loading and unloading work of sophisticated materials men of specialised training are required. It is the case of the respondents that there are unsophisticated materials also and being a scheme covered area, only the registered workers can do the loading and unloading of such work. We have only granted protection provided loading and unloading of sophisticated materials is done by the permanent employees of the petitioner. In the above circumstances, interim order

dated 20.12.2006 is made absolute without prejudice to the right of the workers in raising labour disputes and this writ petition is disposed of accordingly.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007